

May 26, 2009

Public Hearing: Subdivision Ordinance (SA08-0001)
Owner(s): City of Frisco

DESCRIPTION:

A request to adopt a new Subdivision Ordinance and repeal the existing Subdivision Regulation Ordinance (Ordinance 94-08-19) and repeal all amending Ordinances as follows: 98-05-09, 98-06-07, 99-04-04, 99-06-11, 99-09-25, 99-11-19, 00-04-02, 00-06-18, 00-09-22, 00-09-37, 00-12-09, 01-03-20, 01-07-51, 01-09-59, 02-05-56, 02-09-100, 02-11-127, 02-12-144, 03-01-02, 03-03-14, 03-03-15, 03-08-67, 03-11-93, 03-11-94, 03-11-95, 04-03-25, 04-04-28, 06-07-62, 06-10-105, 07-04-13. SM

BACKGROUND:

The City's 2006 Comprehensive Plan identified updating the Subdivision Ordinance as an important short-term priority that should be implemented within the first five years following the adoption of the Plan. In January of 2007, the Comprehensive Plan Advisory Committee (CPAC) recommended updating the Subdivision Ordinance for the 2007-08 Implementation Priorities. Funding was provided for this in the FY07-08 Budget. On October 16, 2007, the City Council contracted with Freese and Nichols, Inc. to prepare a new Subdivision Ordinance.

The initial stage of their work, the consultant met with staff and members of the development community to review the current standards and procedures. From the information gathered, a Diagnostic & Regulatory Action Report was prepared identifying items needing to be addressed either in the new Subdivision Ordinance or in the City's policies and procedures. The Planning & Zoning Commission accepted the consultant's Diagnostic & Regulatory Action Report on May 13, 2008. Attached is a list of the report's recommendations and how each is being addressed.

The Consultant prepared the draft Subdivision Ordinance using the Planning & Zoning Commission approval of the report and met with staff on several occasions to address staffs' comments on the draft.

A Technical Committee, consisting of eleven engineers, working for various firms in the region, reviewed the proposed Subdivision Ordinance and met with staff and the Consultant in April 2009. Comments from this meeting have reviewed and addressed

where staff and the consultant found appropriate. The revised document, following the April meeting, was resubmitted to the Technical Committee for their review. The Frisco Developer Council has submitted a letter in support for this case, and is attached for your convenience. .

REMARKS:

Several items have been modified and added within the Subdivision Ordinance to make it consistent with State law and current City policies and practices. A summary of the significant changes to the document are as follows:

1. Updated the application procedures to conform to State law.
2. Defined the roles of each decision makers.
3. Changed platting procedures as follows:
 - a. Option 1: First, a preliminary plat is approved. Second, construction plans are accepted. Finally, a Final Plat is filed as the construction of each phase is completed.
 - b. Option 2: First, a preliminary plat is approved. Second, an Improvement Agreement is approved and the developer escrows the cost for construction. Third, the Final Plat is filed. Finally, construction acceptance and development.
4. Added sections regarding Pre-submittal and Pre-Construction meetings.
5. Included sections specifically related to water and wastewater requirements and drainage and environmental standards to include requirements for a Preliminary Utility Plan and Preliminary Drainage Plan.
6. Condensed regulations regarding Thoroughfare Screening options and placed each Option in both table and diagram form for user friendliness.
7. Modified the Major Creek requirements. No more than one cul-de-sac in a row is permitted adjacent to a Major Creek. Currently, the ordinance specifies no more than two cul-de-sacs. The location of Major Creeks has been identified on a map.
8. Removed City involvement in and requirements for Homeowners' Association reserve funds at the time of transfer from the developer.
9. Expanded requirements regarding Amenity Center locations.
10. Added a Vested Rights Petition section.
11. Expanded the definitions section.
12. Updated and added diagrams and tables.

The City Attorney has reviewed the attached document. A few minor changes have been made for clarification but this did not result in any content changes.

The Thoroughfare and Circulation Design Requirements (TCDR) are currently being revised and will incorporate the street standards, as they exist or may be amended. At

this time, they will remain within Section 8.13 of the Subdivision Ordinance until the TCDR Manual is adopted so that there will not be a lapse of coverage.

EFFECT:

Adoption of the new Subdivision Ordinance will replace the Subdivision Regulation Ordinance adopted in 1994 and all subsequent amendments to the document. The amending Ordinances have been listed in the case description.

RECOMMENDATION: Recommended for approval as submitted.